

REMARKS

Claims 1, 3-7, 9-17, 19-25, 27-31, 33-41, 43-51, 53-55 and 57-66 are pending and stand rejected.

Claims 1, 25, 27-31, 34-41, 43-49, and 53 are amended herein. Claim 33 and 58 are canceled, and claims 67 and 68 are added.

Response to Rejections Under 35 USC 101

Claims 25, 27-31, 33-38, 40-41, 43-48, 61-63, and 66 are rejected under 35 U.S.C. §101 as allegedly not falling within a statutory category of invention.

In the interests of advancing prosecution, Applicants have amended claim 25 and its dependent claims as suggested by the Examiner to recite a “non-transitory” computer readable storage medium. Thus, the rejections under §101 have been obviated.

Response to Rejections Under 35 USC 103(a)

Claims 1, 3-7, 9-14, 16-17, 19-25, 27-31, 33-38, 40-41, 43-51, 53-55, 57-59, and 61-63 stand rejected under 35 USC § 103(a) as allegedly being unpatentable over Belfiore (U.S. Patent Publication US 2002/0059425 “Belfiore”) in view of Gross (U.S. Patent 5,555,346) and further in view of Gruen (U.S. Patent Publication US 2005/0057584 “Gruen”) and Nelson (U.S. Patent No. 6,782,381).

Independent Claims 1 and 53

Independent claim 1 as currently amended recites, in part, “analyzing an email attachment associated with the email message to determine a topic of the email message” and

performing associating and storing steps “responsive to the time gap being less than a certain amount of time **and the determined topic matching a topic of an email message in the first conversation.**” Thus, claim 1 recites performing the associating and storing steps responsive to both (1) a time gap being less than a certain amount of time, and (2) the determined topic matching a topic of an email message in the first conversation.

The applied references fail to disclose or suggest such features, whether they are taken singly or in combination. Regarding former claim 58, portions of which are now incorporated into claim 1, the Examiner cited Gruen FIG. 8A, which shows a user interface including a traditional list of electronic mail messages and a conversation tree. (See Gruen paragraph 0063.) This merely shows which elements are in the user interface, **without disclosing any actions such as analysis of email attachments.** Cited Gruen paragraph 0053 states that “[p]arser 232 may optionally make procedure calls for scanning of the document content or any of its attachment for key words or phrases to be saved as meta data.” However, even if extracting some set of key words or phrases were considered equivalent to determining the topic of an email message, Gruen would still not disclose “associating the email event with the first conversation” responsive not only to analysis of a time gap, but also to “the determined topic matching a topic of an email message in the first conversation”, as claimed.

Independent claim 53 recites, in part, “means for analyzing an email attachment associated with the email message to determine a topic of the email message” and “means for, responsive to the time gap being less than a certain amount of time and the determined topic matching a topic of an email message in the first conversation.” Thus, claim 53 is

patentably distinguishable from the applied references for at least the same reasons discussed above with respect to claim 1.

Independent Claims 25 and 49

Independent claim 25 as currently amended recites, in part, “program code for determining by a process external to an email application an occurrence of a condition indicating at least one transfer of an email message by the email application, the determining comprising determining whether a file associated with the email application has been updated.” For example, paragraph 0042 of the specification notes that “[i]n one embodiment, the email capture component can periodically crawl files associated with the email application [such as files associated with email message folders] to determine if the files ... have been updated since the last crawl.” Such a technique allows determining whether the email application has sent an email, and the technique may be performed externally to the email application itself.

The applied references fail to disclose or suggest such features, whether they are taken singly or in combination. Regarding former claim 9, portions of which are now incorporated into claim 25, the Examiner cited Belfiore paragraph 0018, which states that a schema is a set of rules or standards that define how a particular type of data can be structured. Thus, the schema represents the structure or organization of the data, not the content of data itself. As it well known by those of skill in the art, a file can be updated without its schema changing. Thus the Belfiore schema does not disclose “program code...determining whether a file associated with the email application has been updated.” Belfiore paragraph 0018 further notes that a device can keep a locally stored schema updated by subscribing to an event notification service. Cited paragraphs 0079-0080 of Belfiore

further note that schema services include schema update services and schema validation. However, neither the Belfiore updating of a schema describing structure of data in general, nor even a determination of whether the schema had been updated, would be of any use in determining whether an email application had transferred an email message, as claimed. Rather, the existence of data for an actual email message is independent of the existence of a schema representing the structure of data.

Independent claim 49 recites, in part, “determining the occurrence of a condition indicating that at least one email message has been received by an email application, wherein determining the occurrence of the condition is external to the email application and comprises determining whether files associated with the email application have been updated.” Thus, claim 49 is patentably distinguishable from the applied references for at least the same reasons discussed above with respect to claim 25.

Dependent Claims

The remaining claims depend, directly or indirectly, from one of claims 1, 25, 49, and 53, and recite additional patentably distinguishable limitations. Thus, these claims are patentably distinguishable from the applied reference for at least the same reasons set forth above with regard to their respective independent claims.

Conclusion

Hence, Applicants respectfully submit that independent claims 1, 25, 49, and 53, and their respective dependent claims, are patentably distinguishable over any combination of Belfiore, Gross, Gruen, and Nelson. Applicants respectfully request that the current

rejections be withdrawn and the application allowed. The Examiner is invited to contact the undersigned by telephone to advance the prosecution of this application.

Respectfully Submitted,

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